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2 IN THE UNITED STATES DISTRICT COURT  
3  
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA

5 MICHAEL REYES MIRABAL,

No. CV-08-4038 MMC (PR)

6  
7 Petitioner,

**JUDGMENT IN A CIVIL CASE**

8 v.

9 ROBERT AYERS, Warden,

10 Respondent.  
11 \_\_\_\_\_/

12 **() Jury Verdict.** This action came before the Court for a trial by jury. The issues  
13 have been tried and the jury has rendered its verdict.

14 **(X) Decision by Court.** This action came to trial or hearing before the Court. The  
15 issues have been tried or heard and a decision has been rendered.

16 **IT IS SO ORDERED AND ADJUDGED** respondent's motion to dismiss the  
17 petition as untimely is hereby GRANTED and the petition for a writ of habeas corpus is  
18 hereby DISMISSED.  
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20  
21 Dated: February 3, 2010

Richard W. Wieking, Clerk

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23 By: Tracy Lucero  
24 Deputy Clerk  
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